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**IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE DISTRICT OF UTAH, CENTRAL DIVISION**

SUNSTATE EQUIPMENT CO., LLC, a
Delaware limited liability company,

Plaintiff,

vs.

EQUIPMENTSHARE.COM, INC., a
Delaware corporation, **RHETT BAUTISTA**,
STEVE MEADOWS, and **CASEY**
HIGLEY, individuals,

Defendants.

**MOTION TO STRIKE DEFENDANTS'
SHORT FORM DISCOVERY MOTIONS
FOR PROTECTIVE ORDER AND
STAY OF DEPOSITIONS**

Case No. 2:19-cv-00784-HCN-DBP

Judge Howard C. Nielson, Jr.

Magistrate Judge Dustin B. Pead

EXPEDITED RELIEF REQUESTED

Pursuant to DUCivR 37-1, Plaintiff Sunstate Equipment Co., LLC (“**Sunstate**”) respectfully requests that the Court strike Defendant Equipmentsshare.com, Inc.’s (“**EquipmentShare**”) Short Form Discovery Motion for Protective Order and Stay of

Depositions (ECF No. 83), and Defendants Rhett Bautista's, Steve Meadows's, and Casey Higley's (collectively, "**Individual Defendants**") Short Form Discovery Motion (ECF No. 84).

DUCivR 37-1 states that a short form discovery motion must "not exceed 500 words." This limit excludes the "caption and signature block," but includes all other material, including footnotes and certifications. EquipmentShare's Motion contains 533 words. The Individual Defendants' Motion contains a whopping 850 words—70% more than permitted by rule. In total, Defendants have submitted to the Court briefing of 1,383 words for what was supposed to be a short form discovery motion, while asking for yet additional briefing and oral argument.

Because Defendants' Motions—both individually and in the aggregate—violated this Court's rule, this Court should strike them.

DATE: May 12, 2020.

SNELL & WILMER L.L.P.

/s/ Mark O. Morris

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of May, 2020, I caused the foregoing to be filed electronically with this court which effectuated notice via the court's electronic notification service to all e-filers of record in this matter, including but not limited to:

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